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PATENT COOPERATION TREATY

PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)

Applicant's or agent's file reference X00-001PCT	IMPORTANT	DECLARATION	Date of mailing(day/month/year) 08/03/2001
International application No. PCT/US 00/11732	International filing date	28/04/2000	(Earliest) Priority date(day/month/year) 30/04/1999
International Patent Classification (IPC) or both national classification and IPC g06H17/60			
Applicant X. CON CORPORATION			
This International Searching Authority hereby declares, according to Article 17(2)(a), that no international search report will be established on the international application for the reasons indicated below			
1. The subject matter of the international application relates to:			
a. scientific theories.			
b. mathematical theories			
c. plant varieties.			
d. animal varieties.			
e. essentially biological processes for the production of plants and animals, other than microbiological processes			
and the products of such processes. f. schemes, rules or methods of doing business.			
i. Interpretable in the human body by surgery or therapy.			
j. Inethods for treatment of the animal body by surgery or therapy.			
k. I diagnostic methods practised on the human or animal body.			
mere presentations of information,			
m. computer programs for which this International Searching Authority is not equipped to search prior art.			
The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:			
the description	X the claims	. [the drawings
3. The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:			
the written form has not been furnished or does not comply with the standard.			
the computer readable form has not been furnished or does not comply with the standard.			
4. Further comments: see further into			
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Name and mailing address of the International Searching Authority Authorized officer			
European Patent Office, P.B. 581	•		
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FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 283

The subject matter claimed falls under the provisions of Article 17(2)(a)(i) and Rule 39.1(iii), PCT, such subject-matter relating to a method of doing business.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.